Application No.	Applicant(s)	
08/479,810	BEDNORZ ET AL.	
Examiner	Art Unit	
Mark Kopec	1796	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --THE REPLY FILED 04/19/06 (4th AF) FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: The period for reply expires _____months from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). **AMENDMENTS** 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below): (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal: and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: . (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s): 6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: see Status Paper. Claim(s) objected to: Claim(s) rejected: see Status Paper. Claim(s) withdrawn from consideration: 73-76,82,83,377 and 378. AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____ 13. Other: See examiner note in Status paper. /Mark Kopec/ **Primary Examiner** Art Unit: 1796

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	Mark Kopec	1796	
The MAILING DATE of this communication appe	ears on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED <u>09/18/06 (8th AF)</u> FAILS TO PLACE THIS	APPLICATION IN CONDITION FO	R ALLOWANCE.	
The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the followance; the application in condition for allowance; (2) a Notal Request for Continued Examination (RCE) in compliant time periods:	wing replies: (1) an amendment, aff otice of Appeal (with appeal fee) in c	idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a) The period for reply expiresmonths from the mailin	g date of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire	Advisory Action, or (2) the date set forth later than SIX MONTHS from the mailing	g date of the final rejecti	on.
Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	706.07(f).		
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of example 137 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	dension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da	of the fee. The appropr inally set in the final Offi	iate extension fee ice action; or (2) as
2. The Notice of Appeal was filed on A brief in comfiling the Notice of Appeal (37 CFR 41.37(a)), or any external a Notice of Appeal has been filed, any reply must be filed.	ension thereof (37 CFR 41.37(e)), to	avoid dismissal of th	
AMENDMENTS	, , , , , , , , , , , , , , , , , , , ,	,	
3. The proposed amendment(s) filed after a final rejection,			ecause
(a) They raise new issues that would require further co		TE below);	
(b) They raise the issue of new matter (see NOTE below	•		
(c) They are not deemed to place the application in be	etter form for appeal by materially re	ducing or simplifying	the issues for
appeal; and/or (d) ☐ They present additional claims without canceling a	corresponding number of finally rei	ected claims.	
NOTE: (See 37 CFR 1.116 and 41.33(a))		ootou olaliilo.	
4. The amendments are not in compliance with 37 CFR 1.1		mpliant Amendment	(PTOL-324).
5. Applicant's reply has overcome the following rejection(s			`
6. Newly proposed or amended claim(s) would be a		timely filed amendme	ent canceling the
non-allowable claim(s).			
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:	☑ will not be entered, or b) ☐ will will will will will below or appended.	II be entered and an	explanation of
Claim(s) allowed: see Status Paper.			
Claim(s) objected to:			
Claim(s) rejected: see Status Paper.	d 070		
Claim(s) withdrawn from consideration: <u>73-76,82,83,377</u> AFFIDAVIT OR OTHER EVIDENCE	<u>and 378</u> .		
B. ☐ The affidavit or other evidence filed after a final action, b	ut before or on the date of filing a N	otice of Appeal will no	ot be entered
because applicant failed to provide a showing of good ar was not earlier presented. See 37 CFR 1.116(e).	nd sufficient reasons why the affidat	vit or other evidence i	s necessary and
The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessa	overcome <u>all</u> rejections under appe ry and was not earlier presented. S	al and/or appellant fa See 37 CFR 41.33(d)(ils to provide a 1).
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	on of the status of the claims after e	entry is below or attac	hed.
11. The request for reconsideration has been considered b	ut does NOT place the application i	n condition for allowa	nce because:
12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s) 13. Other: Remarks not timely filed.			
		Make	
		/Mark Kopec/	
		Primary Examiner Art Unit: 1796	

U.S. Patent and Trademark Office PTOL-303 (Rev. 08-06)

Application No.	Applicant(s)	Applicant(s)	
08/479,810	BEDNORZ ET AL.	BEDNORZ ET AL.	
Examiner	Art Unit		
Mark Kopec	1796		

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	Mark Kopec	1796	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED 11/14/06 (11th AF) FAILS TO PLACE THIS 1. ☐ The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Notal Request for Continued Examination (RCE) in compliant time periods:	n the same day as filing a Notice of wing replies: (1) an amendment, aff otice of Appeal (with appeal fee) in o	Appeal. To avoid aba fidavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a) The period for reply expiresmonths from the mailin b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejecti	on.
TWO MONTHS OF THE FINAL REJECTION. See MPEP 7 Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 dension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da	of the fee. The appropr inally set in the final Offi	iate extension fee ice action; or (2) as
 The Notice of Appeal was filed on A brief in complising the Notice of Appeal (37 CFR 41.37(a)), or any external a Notice of Appeal has been filed, any reply must be filed AMENDMENTS 	ension thereof (37 CFR 41.37(e)), to	o avoid dismissal of the	ns of the date of ne appeal. Since
 The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co (b) They raise the issue of new matter (see NOTE belo (c) They are not deemed to place the application in be appeal; and/or (d) They present additional claims without canceling a 	onsideration and/or search (see NO ow); tter form for appeal by materially re corresponding number of finally re	TE below); educing or simplifying	
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 The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good ar was not earlier presented. See 37 CFR 1.116(e). 	nd sufficient reasons why the affida	vit or other evidence i	s necessary and
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessa	overcome <u>all</u> rejections under appe ry and was not earlier presented. S	eal and/or appellant fa See 37 CFR 41.33(d)(ils to provide a (1).
 10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER 11. ☐ The request for reconsideration has been considered be 			
 12. ☐ Note the attached Information Disclosure Statement(s). 13. ☐ Other: See claim Status Sheet. 	(PTO/SB/08) Paper No(s)	Mark Kopec/ Primary Examiner Art Unit: 1796	

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